

# VICTORY FOR HINDU TEMPLE IN NEW YORK STATE'S HIGHEST COURT

In a unanimous decision obtained by Hodgson Russ for the Hindu Temple Society of North America, Inc., the New York State Court of Appeals held valid and proper the rules and procedures under which the temple has operated since its formation. The decision in the case of *Venigalla v. Nori* was the culmination of litigation commenced years ago by six disaffected temple devotees. When the temple came to Hodgson Russ for assistance, the devotees had obtained several orders and judgments adverse to the temple and its trustees. On behalf of the temple, Hodgson Russ successfully petitioned for leave to appeal to the state's highest court and then prepared and argued the appeal. The decision was a clear vindication of the temple's board of trustees and a forceful rebuke to the six devotees who had challenged the authority of the temple's trustees, demanding that they be chosen by election. The Court of Appeals agreed with Hodgson Russ that the election of temple trustees is not authorized under Religious Corporations Law Article 9. Therefore, bylaws from 1970, which the disaffected devotees advanced as the Temple's original bylaws, were invalid to the extent that they contained provisions that provided for the election of trustees. The entire set of bylaws, however, also were found to be defunct and abandoned. The successful appeal validated the actions of the temple's officers and trustees. It was an important victory for the temple, one of the largest Hindu organizations in North America.

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